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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

15 | In re:

16 | PG&E CORPORATION

-and-

18 || **PACIFIC GAS AND ELECTRIC  
COMPANY,**

### **Debtors.**

- 20       Affects PG&E Corporation
  - 21       Affects Pacific Gas and Electric Company
  - 22       Affects both Debtors

23 \*All papers shall be filed in the Lead Case,  
No. 19-30088 (DM)

**Bankruptcy Case  
No. 19-30088 (DM)**

## Chapter 11 (Lead Case) (Jointly Administered)

**REPLY IN SUPPORT OF THE MOTION  
OF THE OFFICIAL COMMITTEE OF  
TORT CLAIMANTS PURSUANT TO  
11 U.S.C. §§ 105(a) AND 501 AND FED.  
R. BANKR. P. 3001(a) FOR ENTRY OF  
AN ORDER APPROVING PROPOSED  
MODEL PROOF OF CLAIM FORM  
FOR FIRE CLAIMS AND RELATED  
PROCEDURES (DKT. NO. 1824)**

Date: June 26, 2019  
Time: 9:30 a.m. (Pacific Time)  
Place: United States Bankruptcy Court  
Courtroom 17, 16th Floor  
San Francisco, CA 94102

1           The Official Committee of Tort Claimants (the “**TCC**”), for its Reply in support of its  
2 Motion for Entry of an Order Approving Proposed Model Proof of Claim Form for Fire Claims and  
3 Related Procedures (Dkt. No. 1824) (the “**Claim Form Motion**”),<sup>1</sup> states as follows:

4 **I. INTRODUCTION**

5           Both PG&E and the U.S. Trustee have agreed to the TCC’s Fire Proof of Claim Form.  
6 PG&E made its concession after the TCC challenged PG&E’s argument that it needs to obtain  
7 documents and information from victims through the proof of claim form to estimate tort claims.

8           The U.S. Trustee has consistently favored the TCC’s form over PG&E’s form and agreed  
9 to support the Claim Form Motion after proposing certain changes to the TCC’s claim form and  
10 related proposed order on the TCC’s bar date motion (Dkt. No. 2297) (the “**TCC Bar Date**  
11 **Motion**”). *See* Dkt. No. 2316 at 3 fn. 4. The TCC also made changes to the Fire Proof of Claim  
12 Form to address comments received from multiple plaintiffs’ attorneys to make the form easier for  
13 families to use, which comments are reflected in the revised Fire Proof of Claim Form and revised  
14 proposed order on the TCC Bar Date Motion (the “**Proposed Order**”) filed contemporaneously  
15 herewith. The TCC submits that the Court should adopt the TCC’s Fire Proof of Claim Form.

16 **II. BACKGROUND**

17           The Claim Form Motion filed on May 3, 2019 seeks approval of the TCC’s Fire Proof of  
18 Claim Form and limited procedures related thereto. The TCC designed its form to reflect the fact  
19 that many victims of the 2018 Camp Fire are homeless and suffering trauma, and are unrepresented  
20 by counsel. By its Claim Form Motion, the TCC did not ask the Court to establish a bar date,  
21 approve the form of notice thereof, or approve a notice program. These matters are before the  
22 Court on separate motions—the TCC Bar Date Motion and a motion filed by PG&E (Dkt. No.  
23 1784) (the “**PG&E Bar Date Motion**”).

24           PG&E initially objected to the Claim Form Motion. *See* Dkt. No. 2296 (the “**PG&E**  
25 **Objection**”). Another party—the Singleton Law Firm Fire Victim Claimants (“**Singleton**” or  
26 the “**SLF Claimants**”—filed an objection to the PG&E Bar Date Motion and the Claim Form

27  
28 <sup>1</sup> Capitalized terms used but not defined in this Reply have the meanings given to them in the Claim Form Motion and  
the Memorandum in Support thereof (Dkt. No. 1825).

1 Motion. *See* Dkt. No. 2248 (the “**Singleton Objection**”). Singleton argues that PG&E’s form is  
2 unduly burdensome and that the TCC’s form should be adopted but in a modified form. The  
3 Creditors Committee filed a statement supporting PG&E’s form but did not object to the TCC’s  
4 Claim Form Motion. *See* Dkt. No. 2308 (the “**UCC’s Statement**”).

5 After the TCC filed its objection to the PG&E Bar Date Motion (Dkt. No. 2306)  
6 (the “**TCC’s Objection**”) and served PG&E with discovery requests on PG&E’s estimates of its  
7 liabilities for various Fires, as reflected in PG&E’s SEC filings, PG&E notified the TCC that it has  
8 adopted the TCC’s Fire Proof of Claim Form. *See* Orsini Letter, Dkt. No. 2562-1.<sup>2</sup> Such adoption  
9 moots the PG&E Objection to the Claim Form Motion and the UCC’s Statement in support of  
10 PG&E’s form.

11 The TCC has addressed all concerns raised by the U.S. Trustee with respect to the TCC’s  
12 Fire Proof of Claim Form, the Proposed Order on the TCC Bar Date Motion, and the application to  
13 retain the Angeion Group, LLC as noticing agent (Dkt. No. 2303) (the “**Angeion Application**”).  
14 The TCC has also revised the Proposed Order on the TCC Bar Date Motion to reflect comments  
15 received from the California State Agencies. The TCC has also revised the Fire Proof of Claim  
16 Form to address comments received from multiple plaintiffs’ attorneys, including changes to clarify  
17 that families may use a single form so long as each family member asserting a claim is identified.

18 With the changes to the Fire Proof of Claim Form and the Proposed Order, the TCC has  
19 been able to resolve all objections to the Court’s approval of the Fire Proof of Claim Form with one  
20 lone exception—the Singleton Objection.

### 21 **III. THE SINGLETON OBJECTION**

22 The Singleton Objection raises three issues with the TCC’s form. First, the SLF Claimants  
23 request that the TCC’s form be modified to permit multiple Fire Claimants whose claims stem from  
24 the same real property (*e.g.*, a family of four who lost their home) to submit a single claim form

25  
26  
27 <sup>2</sup> The TCC responded to the Orsini Letter on June 13, 2019. *See* Goodman Letter (attached as **Exhibit A**). PG&E did  
28 not disclose the Goodman Letter to the Court in its Status Update filed on June 17, 2019. To date, PG&E has declined  
the TCC’s invitations to enter into an information-sharing protocol.

1 rather than multiple claim forms. The TCC addressed this issue with the addition of language  
2 clarifying that families may use a single claim form.

3 Second, the SLF Claimants request that Fire Claimants specify whether they were victims  
4 of the “Tubbs Fire” that occurred in 2017. The TCC’s form requires Fire Claimants to identify the  
5 year of the fire giving rise to the Fire Claim and provide the location of loss. This information can  
6 be used to identify each Fire Claim arising out of the Tubbs Fire.

7 Lastly, the SLF Claimants request that the TCC’s form be modified so that Fire Claimants  
8 are asked to provide a claim amount. Many Fire Claimants will assert claims that include damages  
9 for personal injury and emotional distress. Expert testimony will be used to determine damages for  
10 property losses. It serves no useful purpose to ask Fire Claimants to guess at the total amount of  
11 their Fire Claims as a condition to filing a proof of claim. However, the Proposed Order makes it  
12 clear that Fire Claimants are not required to use the Fire Proof of Claim Form but can also use  
13 Official Form 410. The SLF Claimants, each of whom is represented by legal counsel, can  
14 immediately file proofs of claim asserting claim amounts using Official Form 410.

15 After PG&E notified the TCC of its adoption of the TCC’s form, the TCC sought  
16 clarification on several issues related to the proposed bar date and the TCC’s notice program. These  
17 issues are not before the Court on the Claim Form Motion, which would be unopposed but for the  
18 Singleton Objection. Given the changes made to the Fire Proof of Claim Form, and the SLF  
19 Claimants’ ability to use Official Form 410, the TCC respectfully submits that the Singleton  
20 Objection should be overruled and that the Court should grant the Claim Form Motion.

21 Dated June 19, 2019

BAKER & HOSTETLER LLP

22 By: /s/ Eric Goodman

23 *Attorney for The Official Committee of Tort  
24 Claimants*